



ORDINANCE NO. 411

AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CITY OF REXBURG, PROVIDING FOR KENNEL LICENSES: PROVIDING FOR DISPOSITION OF DOGS WITH RABIES, AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I: The term owner as used in this ordinance shall be construed to mean and include any person, persons, association or corporation owning, harboring or keeping a dog or dogs within the corporate limits of the City of Rexburg, Idaho, The term dog as used in this ordinance shall mean and include either male or female.

SECTION II: Except as provided by Section III herein, it shall be unlawful for any owner to allow or permit any dog, whether licensed or not, to be or remain upon the streets or alleys of the City of Rexburg, or in any public place in the City of Rexburg, or upon any other premises without the consent of the person in possession of such premises unless -

Such dog be in charge of a person and controlled by a leash not exceeding ten feet in length, or unless

Such dog be confined in a motor vehicle.

SECTION III: The City Council of the City of Rexburg may designate such areas of the public park or other public grounds of the City which may be used, subject to such within such areas so designated need not be controlled by leash but shall be under the control of a responsible person and controlled by whistle, voice or other effective command.

SECTION IV: It shall be unlawful to keep, maintain, harbor or possess upon the premises of any one household more than two dogs unless the owner or person in charge thereof shall have obtained a non-commercial kennel license. Application for a non-commercial kennel license shall be made to the City Clerk or City Poundmaster and must be accompanied by the written consent to such non-commercial kennel by at least 75% of all the persons in possession of premises within 100 feet, measured on street lines, of the premises upon which said non-commercial kennel is to be maintained, and accompanied by the deposit of a license fee of \$5.00 for three dogs, and an additional \$1.00 for each dog over three, which deposit shall be returned to the applicant if the license is not finally issued.

The application shall state the name and address of the owner, where the non-commercial kennel is to be kept and the number of dogs. The application shall be in duplicate and the duplicate thereof shall be referred to the Health and Sanitation Committee, which Committee shall, within five days thereof, make its report to the City Council, of whether or not the location and operation of said kennel complies with the health ordinance of Rexburg, and if such report is unfavorable no license shall be issued.

Non-commercial kennel license shall not be transferable, and shall expire the 31st day of December of the year in which issued. Whenever additions are made to the number of dogs for which a kennel license has been issued, the licensee shall within 3 days report to the City Clerk and pay the required license fee, provided, however, that whenever puppies are born the issue of a dog theretofore counted in computing the license fee, such puppies shall not be counted as additions until 3 months old.

The issuance of a non-commercial kennel license shall not abviate the necessity of obtaining an individual dog license, nor shall any of the provisions thereof be deemed to vary or alter any of

the zoning ordinances of Rexburg, Idaho.

SECTION V: Any dog afflicted with rabies shall be disposed of immediately, either by the owner or by the Poundmaster.

The Poundmaster shall have authority to order the owner of any dog showing symptoms of rabies, or of any dog which has bitten any person or persons, so as to cause an abrasion of the skin, to subject such dog to the City Pound for quarantine for a period of not to exceed 15 days, and if such dog shall be determined free of rabies the same shall be returned to the owner upon payment of one-half the regular fee for keeping dogs impounded. No other fee shall be charged. If such fee is not paid the dog shall be subject to disposal as provided in Section 198, Chapter 35, Revised Ordinances of the City of Rexburg, Idaho.

Provided, however, that in lieu of submitting such dog to the City Pound, the owner may, at his expense, admit such dog to a veterinarian for examination.

SECTION VII: All ordinances or parts of ordinances insofar as they are in conflict herewith, be and the same are hereby repealed.

This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 18th day of September, 1957.

J. Fred Smith, Mayor

(SEAL)

ATTEST:

Loretta M. Rigby, City Clerk

STATE OF IDAHO)
)ss.
County of Madison)

I LORETTA M. RIGBY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the foregoing is a full, true and correct copy of an ordinance entitled:

AN ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CITY OF REXBURG, PROVIDING FOR KENNEL LICENSES, PROVIDING FOR DISPOSITION OF DOGS WITH RABIES, AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID ORDINANCE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

PASSED BY THE CITY COUNCIL OF SAID CITY AND APPROVED BY THE MAYOR this 18th day of September, 1957.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, this 18th day of September, 1957.

Loretta M. Rigby, City Clerk

(SEAL)

REPEALED BY ORD 587, 847